

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

RANDOLPH CLARK and ALICE CLARK

PLAINTIFFS

vs.

Civil Action No. 4:07-cv-16 HTW-LRA

CAPITOL ONE BANK

DEFENDANT

**ORDER OF DISMISSAL**

All parties having agreed to and announced to the court a settlement of this case, and the court being desirous that this matter be finally closed on its docket,

IT IS ORDERED that this case is hereby dismissed without prejudice as to all parties.

If any party fails to consummate this settlement within **TWENTY (20) DAYS**, any aggrieved party may reopen the case for enforcement of the settlement agreement and, if successful, all additional attorney fees and costs from the date of this order shall be awarded such aggrieved party or parties against the party failing to consummate the agreement.

**SO ORDERED, this the 30<sup>th</sup> day of May, 2008.**

**s/ HENRY T. WINGATE  
CHIEF UNITED STATES DISTRICT JUDGE**